

## Legislative Update

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**Summary:** This is a status report on AB 2092 (Huffman) and SB 1450 (Simitian) and includes a list of other legislation of interest to the Council.

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### 2092 (Huffman)

#### DESCRIPTION

This bill would have required the Council to develop, by January 1, 2013, a long-term financing plan to pay the costs of implementing the Delta Plan including all projects, programs, and administrative costs identified in the plan.

#### STATUS

The bill failed passage on the Senate floor 16 - 21.

### SB 1450 (Simitian)

#### PURPOSE OF THE BILL

This urgency bill is intended to provide a streamlined contracting process to help meet the timeline for developing the Delta Plan. If approved by the Governor, it would immediately become law.

#### STATUS

The bill is on the Governor's desk. Council staff has requested that it be signed into law.

#### DESCRIPTION

This bill would allow the Council to contract for consultant services and architectural and engineering services for the following purposes:

- 1) To prepare the Delta Plan and the associated environmental review.
- 2) To meet the statutory responsibilities of the Council and the Independent Science Board with respect to the Bay Delta Conservation Plan.

- 3) To make consistency determinations for state and local public agency actions with the Delta Plan.
- 4) To perform scientific reviews to inform water and environmental decision making.

This bill also includes exemptions from various state contracting and reporting statutes governing personal services and consultant contracts:

- 1) Architectural, engineering, and environmental services: the exemption would allow the Council to establish contract procedures with private firms without writing regulations subject to Office of Administrative Law (OAL) review.
- 2) Personal services contracting requirement: the exemption would allow the Council to hire non-state personnel to provide highly specialized or highly technical services not available within civil service.
- 3) State Contract Act exemption: the exemption would allow the Council to contract for consultant services without Department of General Services review and approval.

Notwithstanding these exemptions, the Council would be required to establish procedures for contracting for services in lieu of adopting formal regulations that would have to be reviewed and approved by the OAL under the Administrative Procedures Act.

### **List of Attachments**

Attachment 1 – Other Bills of Interest

### **Contact**

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